

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION

UNITED STATES OF AMERICA	*	CRIMINAL NO. 3:16-00052
	*	
VERSUS	*	JUDGE LEE
	*	
IVON JOHNSON	*	MAGISTRATE JUDGE ANDERSON

THIRD MOTION TO CONTINUE SENTENCING

NOW INTO COURT, comes the United States who moves as follows:

1.

Sentencing in this matter is currently set for July 20, 2017.

2.

The defendant Ivon Johnson is cooperating in an ongoing matter which is not expected to be completed by the sentencing date currently set. The defendant was a witness in the trial of *State of Mississippi v. Robert Shuler Smith and James K. McBride*, First Judicial District, Hinds County, Cause Number 16-837, which began on December 19, 2016, but concluded in a mistrial. The re-trial of that case was originally set for June 12, 2017. However, the case was continued and is now set to begin on July 31, 2017. The defendant Ivon Johnson is again expected to be called as a witness at that time. Trial is expected to last 2-3 weeks.

3.

The parties agree that the defendant's full cooperation should be considered at the time of his sentencing.

4.

The defendant is not in custody and will remain on bond during any period of continuance.

5.

The pro se defendant has been consulted and has no objection to this continuance.

Wherefore, the government respectfully requests that the Court continue the July 20, 2017, sentencing date until September of 2017.

Respectfully submitted,

LORETTA E. LYNCH
ATTORNEY GENERAL

STEPHANIE A. FINLEY
UNITED STATES ATTORNEY

/s/ Allison D. Bushnell

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CERTIFICATE OF SERVICE

I hereby certify that on June 16, 2017, a copy of the foregoing was filed with the court's CM/ECF filing system. Ivon Johnson, pro se defendant, will be notified by operation of the court's electronic filing system. A copy of the motion will also be provided to the U.S. Probation Office by electronic mail.

/s/ Allison D. Bushnell

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